

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

GUADALUPE M. SALLABEDRA, JR. and  
CLAUDIA SALLABEDRA

v.

BANK OF AMERICA, N.A.

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CASE NO. 4:14-CV-738  
(Judge Mazzant/Judge Nowak)

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On October 21, 2015, the report of the Magistrate Judge (Dkt. #17) was entered containing proposed findings of fact and recommendations that Defendant Bank of America, N.A.'s Motion to Dismiss and Motion for Judgment on the Pleadings (Dkt. #16) be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant Bank of America, N.A.'s Motion to Dismiss and Motion for Judgment on the Pleadings (Dkt. #16) is **GRANTED**, and Plaintiffs' claims are **DISMISSED** with prejudice.

All relief not previously granted is **DENIED**. The Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this 18th day of November, 2015.**

  
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AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE